

Appl. No.10/063,884  
Amdt. Dated August 29, 2005  
Reply to Office action of January 13, 2005

**REMARKS/ARGUMENTS**

Examiner:

5           Claims 1, 3-4, 7-8, 10-11, and 14 are rejected under 35 U.S.C. 102(e) as being  
anticipated by Gonno (US 6,404,739). Claims 2, 5, 9, and 12 are rejected under 35  
U.S.C. 103(a) as being unpatentable over Gonno as applied to claims 1 and 8 above,  
in view of Metz et al. (US 5,666,293). Claims 6-13 are rejected under 35 U.S.C.  
103(a) as being unpatentable over Gonno as applied to claims 1 and 8 above, in view  
10 of Tran (US 5,453,987).

Response:

15           Without disclaimer of any kind regarding the merits of any claim as originally  
filed in this application, the Applicant has chosen to further define the limitations of  
independent claims 1 and 8 to include dynamically altering the timeout period of the  
terminal according to which data packets have and have not been received.  
Additionally, new claims 15 and 16 have been introduced to further define how the  
20 timeout period is dynamically changed. This feature is fully supported in Paragraphs  
[0051] – [0054] and no new material has been introduced.

25           According to the present invention, the terminal waits a default timeout period  
to determine whether the terminal actively requests the server to re-transfer the  
operating system, or passively receives the data packets of the operating system that  
have been broadcasted on the network. The initial timeout period is set in step 82 of  
Fig.3, and adjusted dynamically in step 90 (Paragraph [0051]). The network booting

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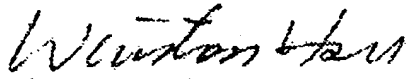
efficiency according to the present invention is thus greatly increased, and the load of the server is substantially reduced (Paragraph [0054]).

5 The Applicant is unable to find teachings or suggestions in known prior art, alone or in combination, of dynamically altering the timeout period of the terminal according to which data packets have and have not been received as currently claimed. Therefore, the Applicant respectfully requests reconsideration and allowance of claims 1-14, and acceptance and allowance of new claims 15-16.

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Sincerely yours,

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